

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

A.G. DESIGN & ASSOCIATES, LLC, a  
Washington limited liability company,

Plaintiff,

v.

TRAINMAN LANTERN COMPANY, INC.,  
a Washington corporation, d/b/a AMERICAN  
LANTERN COMPANY, INC.; AMERICAN  
LANTERN, INC., a foreign corporation;  
MARCUS MUKAI, individually and as a  
marital community with JANE DOE  
MUKAI; G. SCOTT MUKAI; and JOHN  
DOE DEFENDANTS 1 through 10,

Defendants.

CASE NO. C07-5158BHS

MINUTE ORDER REASSIGNING  
CASE

NOW, on this 31<sup>st</sup> day of August, 2007, the Court directs the Clerk to enter the following  
Minute Order:

On July 3, 2007, the Honorable Franklin D. Burgess granted A.G. Design & Associates,  
LLC's ("A.G. Design") Motion for Injunctive Relief. Dkt. 26. After conducting a hearing on the  
motion, Judge Burgess ruled that A.G. Design succeeded in demonstrating infringement under  
the Doctrine of Equivalents, irreparable harm if injunctive relief is not granted, that the balance  
of hardships tips in Plaintiff's favor, and that "[t]he public interest element favors protecting  
A.G. Design's patent rights in this context, where such a strong showing of infringement has

1 been made.” *Id.* at 10-11. Defendants moved for reconsideration of that order and appealed the  
2 order to the United States Court of Appeals for the Federal Circuit. Dkts. 32, 34. Defendants also  
3 moved to stay the action pending appeal or reconsideration. Dkt. 35. On July 31, 2007, and while  
4 these motions were pending, this case was reassigned to the Honorable Benjamin H. Settle. Dkt.  
5 47.

6 On August 6, 2007, while the case was pending before Judge Settle, Judge Burgess  
7 granted the Motion for An Emergency Stay Pending Appeal and/or Reconsideration (Dkt. 35)  
8 and struck Defendants’ Motion to Vacate and For Reconsideration of July 2, 2007 Preliminary  
9 Injunction Order (Dkt. 32) and Plaintiff’s Motion for Order Compelling Defendants to Show  
10 Cause Why They Should Not Be Held in Contempt (Dkt. 37) as moot. Dkt. 54, effectively  
11 reclaiming this case. This case is therefore reassigned to Judge Franklin D. Burgess, who is  
12 already familiar with the factual record and has made several rulings in this case, for all further  
13 proceedings. All future pleadings shall bear the cause number C07-5158FDB.

14 The foregoing Minute Order was authorized by the Honorable BENJAMIN H. SETTLE,  
15 United States District Judge.

16  
17 /s/ Rhonda Miller  
18 Rhonda Miller, Deputy Clerk  
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